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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,425	07/31/2001	Shrikant Jannu	1540 (4000-02000)	4223

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EXAMINER

BLAIR, DOUGLAS B

ART UNIT PAPER NUMBER

2142

DATE MAILED: 12/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/919,425

Applicant(s)

JANNU ET AL

Examiner

Douglas B. Blair

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. Claims 32-34 are currently pending in this application.

Terminal Disclaimer

3. The terminal disclaimer filed on 11/22/2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of application number 09/919,436 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Number 6,948,174 to Chiang et al..
6. As to claim 32, Chiang teaches a method for brokering message between middleware systems comprising: communicating a message from a mainframe system in a Cobol Copybook format (col. 10, lines 18-45); mapping the message in Cobol copybook format onto the fields in a

Art Unit: 2142

structured event format (col. 10, lines 18-45); communicating the message converted from Cobol copybook format to structured event format to a middleware brokering system (col. 10, lines 46-61); communicating a message from a Java based system into a Java message format (col. 10, lines 18-45); mapping the message in the Java format onto the fields in a structured event format to a middleware brokering system (col. 10, lines 18-45); communicating a message from a Java format to the structure event format to the middleware brokering system (col. 10, lines 46-61); communicating a message from CORBA system in a structured event format to the middleware brokering system (col. 10, lines 46-61); using the middleware broker to determine the destination for each of the message from the Java, CORBA, and mainframe systems (col. 10, lines 46-61); and directing each of the messages to the appropriate one of the JMS, CORBA, and mainframe systems (col. 10, lines 46-61); however Chiang does not explicitly teach the use of JMS messages with Java.

Chiang teaches the use of numerous software applications and the use of Java, so though not explicitly mentioned Java Message Service format was a well-known way to communicate with applications at the time of the invention.

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Chiang regarding the exchange of data between numerous applications on varying platforms with the use of JMS messages because the various applications discussed by Chiang could include applications that use JMS messages, without departing from the scope of the Chiang invention.

7. As to claim 33, Chiang teaches the method of claim 32 further comprising: converting the messages destined for the mainframe system from the structured event format to Cobol

Art Unit: 2142

copybook format (col. 12, lines 10-59). For reasons discussed in the rejection of claim 32 it would have been obvious to use JMS messages as well, without departing from the scope of the Chiang invention.

8. As to claim 34, Chiang teaches the method of claim 32, further comprising: registering each of the messages with a publish/subscribe engine (col. 12, lines 10-59); and brokering the messages between the multiple formats based on the messages that the various system have registered to receive (col. 12, lines 10-59).

Response to Arguments

9. Applicant's arguments with respect to claims 32-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2142

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair

DBB



BUNJOB JAROENCHONWANIT
PRIMARY EXAMINER